

IN THE UNITED STATES DISTRICT COURT

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FOR THE MIDDLE DISTRICT OF ALABAMA

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NORTHERN DIVISION

DEBRA R. HANCOCK, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALA.

ANTHONY GEE, # 227493

Plaintiff,

vs.

CIVIL ACTION NO.

2:06-CV-262-WKW

JAMES H. DELOACH, et al.,

Defendants.

MOTION FOR VOLUNTARY DISMISSAL

COMES NOW the Plaintiff Anthony Gee, by and through himself, pursuant to Rule 41 (a) (1), Fed.R. Civ. P., and moves this Honorable Court to dismiss his civil action in the above referenced matter, to-wit, 2:06-CV-262-WKW, and requests that such dismissal be "without prejudice," and states the following:

1. The Plaintiff will be released from prison

in the very near future and will be in a much better position of retaining professional counsel to represent him in this matter; Defendants has not answered the complaint or filed a motion for summary judgment; and such dismissal does not bar the Plaintiff from bringing the case later as long as he re-file the case within the limitations period.

WHEREFORE, Plaintiff moves the Court to dismiss his civil action "without prejudice."

Respectfully submitted,

Anthony Gee
Anthony Gee, # 227493
P. O. Box 10
Cllo, Alabama 36017

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing upon attorneys of record for Defendants, to-wit, General Counsel - Alabama Department of Corrections, P.O. Box 301501-Montgomery, Alabama 36101, by placing a copy of the same, in the United States Mail, First Class Postage Prepaid, and properly addressed on this 12th day of April, 2006.

Anthony Gee
Anthony Gee